IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

OP.No. 26427 of 2002(U)

PETITIONERS:
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1. **P.V.KRISHNA KUMAR, CLERK, EDAKKAD KSHEERA VAYAVASAYA CO-OPERATIVE SOCIETY, P.O.THOTTADA, KANNUR.**

2. **SOBHANA, CLERK, EDAKKAD KSHEERA VAYVASAYA CO-OPERATIVE SOCIETY, P.O.THOTTADA, KANNUR.**

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS:
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1. **DIRECTOR, DAIRY DEVELOPMENT, THIRUVANANTHAPURAM.**

2. **DEPUTY DIRECTOR OF DAIRY DEVELOPMENT, KANNUR.**

3. **EDAKKAD KSHEERA VAYVASAYA CO-OPERATIVE SOCIETY, P.O.THOTTADA, KANNUR, REPRESENTED BY ITS SECRETARY.**

4. **P.V.SUDHAKARAN, PRESIDENT, EDAKKAD KSHEERA VYAVASAYA CO-OPERATIVE SOCIETY, P.O.THOTTADA, KANNUR**

5. **K.BHARATHAN, SECRETARY, EDAKKAD KSHEERA VAYVASAYA CO-OPERATIVE SOCIETY, P.O.THOTTADA, KANNUR.**

BY GOVERNMENT PLEADER
SRI.V.RAJAGOPAL
SRI.K.N.CHATHUKUTTY

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 21/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH, J.

O.P.No.26427 of 2002

Dated 21st February, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayers :-

> (i) "To call for the records relating to Exts.P1 to P14 and to issue a writ of mandamus commanding the respondents 1 and 2 to initiate action against the respondents 3, 4 and 5 for illegally obtaining resignation letter from the petitioners.
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> (ii) To issue a writ of mandamus commanding the respondents 1, 2 and 3 to permit the petitioners to continue in service of the 3rd respondent and also to declare that Ext.P5 resignation is not a valid resignation and that the petitioners are not bound by it and that they are still deemed to be in service and are entitled for wages and also to direct the third respondent to pay wages.
>
> (iii) To issue a writ of mandamus commanding the respondents 1 and 2 to consider and pass orders on Ext.P13."

Since the petitioners have invoked the jurisdiction of the second respondent, there will be a direction to the second respondent to look into Ext.P13 with notice to the petitioners and the third respondent and pass appropriate orders thereon in accordance with law, if not already passed, within three months from the date of production of a copy of the judgment.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No.26427 of 2002 (U)

J U D G M E N T

Dated 21st February, 2007.